

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1129

Introduced by Bourne, 8

Read first time January 16, 2004

Committee: General Affairs

A BILL

1 FOR AN ACT relating to the State Electrical Act; to amend sections
2 81-2109, 81-2121, and 81-2124, Reissue Revised Statutes
3 of Nebraska, and sections 81-2102, 81-2108, 81-2113, and
4 81-2118, Revised Statutes Supplement, 2003; to change
5 provisions relating to residential journeyman
6 electricians and electrical installations; to provide
7 fees; to define and redefine terms; to provide powers and
8 duties; to harmonize provisions; and to repeal the
9 original sections.
10 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-2102, Revised Statutes Supplement,
2 2003, is amended to read:

3 81-2102. For purposes of the State Electrical Act,
4 unless the context otherwise requires:

5 (1) Apprentice electrician means any person, other than a
6 licensee, who, as such person's principal occupation, is engaged in
7 learning and assisting in the installation, alteration, and repair
8 of electrical equipment as an employee of a licensee and who is
9 registered with the board. For purposes of this subdivision,
10 persons who are not engaged in the installation, alteration, or
11 repair of electrical wiring and apparatus, either inside or outside
12 buildings, shall not be considered apprentice electricians;

13 (2) Board means the State Electrical Board;

14 (3) Class A master electrician means a person having the
15 necessary qualifications, training, experience, and technical
16 knowledge to properly plan, lay out, and supervise the installation
17 of wiring, apparatus, and equipment for electric light, heat,
18 power, and other purposes and who is licensed by the board;

19 (4) Class B electrical contractor means a person having
20 the necessary qualifications, training, experience, and technical
21 knowledge to properly plan, lay out, install, and supervise the
22 installation of wiring, apparatus, and equipment for systems of not
23 over four hundred ampere capacity for light, heat, power, and other
24 purposes in any structure used and maintained as a residential
25 dwelling but not larger than a four-family dwelling located in any
26 municipality which has a population of less than one hundred
27 thousand inhabitants and who is licensed by the board;

28 (5) Class B journeyman electrician means a person having

1 the necessary qualifications, training, experience, and technical
2 knowledge to wire for or install electrical wiring, apparatus, and
3 equipment for systems of not over four hundred ampere capacity for
4 light, heat, power, and other purposes in any structure used and
5 maintained as a residential dwelling but not larger than a
6 four-family dwelling located in any municipality which has a
7 population of less than one hundred thousand inhabitants and who is
8 licensed by the board;

9 (6) Class B master electrician means a person having the
10 necessary qualifications, training, experience, and technical
11 knowledge to properly plan, lay out, and supervise the installation
12 of wiring, apparatus, and equipment for systems of not over four
13 hundred ampere capacity for light, heat, power, and other purposes
14 in any structure used and maintained as a residential dwelling but
15 not larger than a four-family dwelling located in any municipality
16 which has a population of less than one hundred thousand
17 inhabitants and who is licensed by the board;

18 (7) Commercial installation means an installation
19 intended for commerce; ~~or for a family dwelling in excess of a~~
20 ~~single-family living unit;~~

21 (8) Electrical contractor means a person having the
22 necessary qualifications, training, experience, and technical
23 knowledge to properly plan, lay out, install, and supervise the
24 installation of wiring, apparatus, and equipment for electric
25 light, heat, power, and other purposes and who is licensed by the
26 board;

27 (9) Fire alarm installer means any person having the
28 necessary qualifications, training, and experience to plan, lay

1 out, and install electrical wiring, apparatus, and equipment for
2 only those components of fire alarm systems that operate at fifty
3 volts or less and who is licensed by the board;

4 (10) Industrial installation means an installation
5 intended for use in the manufacture or processing of products
6 involving systematic labor or habitual employment and includes
7 installations in which agricultural or other products are
8 habitually or customarily processed or stored for others, either by
9 buying or reselling on a fee basis;

10 (11) Installer means a person who has the necessary
11 qualifications, training, experience, and technical knowledge to
12 properly lay out and install electrical wiring, apparatus, and
13 equipment for major electrical home appliances on the load side of
14 the main service in any municipality which has a population of less
15 than one hundred thousand inhabitants and who is licensed by the
16 board;

17 (12) Inspector means a person certified as an electrical
18 inspector upon such reasonable conditions as may be adopted by the
19 board. The board may permit more than one class of electrical
20 inspector;

21 (13) Journeyman electrician means a person having the
22 necessary qualifications, training, experience, and technical
23 knowledge to wire for or install electrical wiring, apparatus, and
24 equipment and to supervise apprentice electricians and who is
25 licensed by the board;

26 (14) New electrical installation means the installation
27 of wiring, apparatus, and equipment for electric light, heat,
28 power, and other purposes;

1 (15) Public-use building or facility means any building
2 or facility designated for public use;

3 (16) Residential installation means an installation
4 intended for a single-family or two-family residential dwelling or
5 a multi-family residential dwelling not larger than three stories
6 in height;

7 (17) Residential journeyman electrician means a person
8 having the necessary qualifications, training, experience, and
9 technical knowledge to wire for or install electric wiring,
10 apparatus, and equipment for residential installations and to
11 supervise apprentice electricians and who is licensed by the board;

12 (18) Routine maintenance means the repair or replacement
13 of existing electrical apparatus and equipment of the same size and
14 type for which no changes in wiring are made; and

15 ~~(17)~~ (19) Special electrician means a person having the
16 necessary qualifications, training, and experience in wiring or
17 installing special classes of electrical wiring, apparatus,
18 equipment, or installations which shall include irrigation system
19 wiring, well pump wiring, air conditioning and refrigeration
20 installation, and sign installation and who is licensed by the
21 board.

22 Sec. 2. Section 81-2108, Revised Statutes Supplement,
23 2003, is amended to read:

24 81-2108. (1) Except as provided in subsection (2) of
25 this section or in section 81-2110 or 81-2112, no person shall, for
26 another, wire for or install electrical wiring, apparatus, or
27 equipment unless he or she is licensed by the board as a Class B
28 electrical contractor, an electrical contractor, a Class A master

1 electrician, a Class B master electrician, or a fire alarm
2 installer.

3 (2) Except as provided in section 81-2106, 81-2110, or
4 81-2112, no person shall wire for or install electrical wiring,
5 apparatus, or equipment or supervise an apprentice electrician
6 unless such person is licensed as a Class B journeyman electrician,
7 a journeyman electrician, a residential journeyman electrician, or
8 a fire alarm installer and is employed by a Class B electrical
9 contractor, an electrical contractor, a Class A master electrician,
10 a Class B master electrician, or a fire alarm installer.

11 For purposes of this section, the holder of a fire alarm
12 installer license shall only supervise those apprentices engaged in
13 the installation of fire alarm equipment and apparatus operating at
14 fifty volts or less.

15 (3) No person licensed under the State Electrical Act may
16 lend his or her license to any person or knowingly permit the use
17 of such license by another.

18 Sec. 3. Section 81-2109, Reissue Revised Statutes of
19 Nebraska, is amended to read:

20 81-2109. (1) ~~On and after September 9, 1993, an~~ An
21 applicant for a journeyman electrician license shall have at least
22 four years' experience, acceptable to the board, in the electrical
23 trade. Registration as an apprentice electrician for those years
24 shall, on the approval of the board, constitute evidence of such
25 experience. The board may by rule or regulation provide for the
26 allowance of one year of experience credit for successful
27 completion of a two-year post-high school electrical course
28 approved by the board.

1 (2) On and after the effective date of this act, an
2 applicant for a residential journeyman electrician license shall
3 have at least three years' experience, acceptable to the board, in
4 the electrical trade. Registration as an apprentice electrician
5 for those years shall, on the approval of the board, constitute
6 evidence of such experience. The board may by rule or regulation
7 provide for the allowance of one year of experience credit for
8 successful completion of a two-year post-high school electrical
9 course approved by the board. A residential journeyman electrician
10 license shall be valid only for residential installations.

11 (3) A Class B journeyman electrician license shall be
12 valid only for electrical systems of not over four hundred amperes
13 in capacity in structures used and maintained as residential
14 dwellings but not larger than four-family dwellings located in any
15 municipality which has a population of less than one hundred
16 thousand inhabitants.

17 Sec. 4. Section 81-2113, Revised Statutes Supplement,
18 2003, is amended to read:

19 81-2113. (1) A person may register with the board and
20 pay a fee as provided in section 81-2118 to work as an apprentice
21 electrician. Such registration shall entitle the registrant to act
22 as an apprentice electrician to a Class B electrical contractor, an
23 electrical contractor, a Class B journeyman electrician, a
24 journeyman electrician, a residential journeyman electrician, a
25 Class A master electrician, or a Class B master electrician as
26 provided in subsection (2) of this section.

27 (2) An apprentice electrician shall do no electrical
28 wiring except under the direct personal on-the-job supervision and

1 control and in the immediate presence of a licensee under the State
2 Electrical Act. Such supervision shall include both on-the-job
3 training and related classroom training as approved by the board.
4 The licensee may employ or supervise apprentice electricians at a
5 ratio not to exceed three apprentice electricians to one licensee,
6 except that such ratio and the other requirements of this section
7 shall not be applicable to a teacher-student relationship within a
8 classroom of a community college.

9 For purposes of this section, the direct personal
10 on-the-job supervision and control and in the immediate presence of
11 a licensee shall mean the licensee and the apprentice electrician
12 shall be working at the same project location but shall not require
13 that the licensee and apprentice electrician must be within sight
14 of one another at all times.

15 (3) An apprentice electrician shall not install, alter,
16 or repair electrical equipment except as provided in this section,
17 and the licensee employing or supervising an apprentice electrician
18 shall not authorize or permit such actions by the apprentice
19 electrician.

20 Sec. 5. Section 81-2118, Revised Statutes Supplement,
21 2003, is amended to read:

22 81-2118. All licenses issued under the State Electrical
23 Act shall expire on December 31 of each even-numbered year. All
24 license applications shall include the applicant's social security
25 number. The board shall establish the fees to be payable for
26 examination, issuance, and renewal in amounts not to exceed:

27 (1) For examination:

28 (a) Electrical contractor, one hundred twenty-five

1 dollars;

2 (b) Journeyman electrician, sixty dollars; ~~and~~

3 (c) Residential journeyman electrician, sixty dollars;

4 and

5 (d) Fire alarm installer, sixty dollars;

6 (2) For each year of the two-year license period for
7 issuance and renewal:

8 (a) Electrical contractor, one hundred twenty-five
9 dollars; and

10 (b) Journeyman electrician, residential journeyman
11 electrician, fire alarm installer, or special electrician,
12 twenty-five dollars;

13 (3) For each year of the two-year license period for
14 registration as an apprentice electrician, twenty dollars; and

15 (4) For renewal on or after September 9, 1993, of the
16 following licenses issued prior to such date for each year of the
17 two-year license period:

18 (a) Class B electrical contractor, one hundred
19 twenty-five dollars;

20 (b) Class A master electrician, one hundred twenty-five
21 dollars;

22 (c) Class B master electrician, one hundred twenty-five
23 dollars; and

24 (d) Class B journeyman electrician, installer, or special
25 electrician, twenty-five dollars.

26 The holder of an expired license may renew the license
27 for a period of three months from the date of expiration upon
28 payment of the license fee plus ten percent of the renewal fee for

1 each month or portion thereof past the expiration date. All
2 holders of licenses expired for more than three months shall apply
3 for a new license.

4 Sec. 6. Section 81-2121, Reissue Revised Statutes of
5 Nebraska, is amended to read:

6 81-2121. Nothing in the State Electrical Act shall be
7 construed to:

8 (1) Require employees of municipal corporations, public
9 power districts, public power and irrigation districts, electric
10 membership or cooperative associations, public utility
11 corporations, railroads, telephone or telegraph companies, or
12 commercial or industrial companies performing manufacturing,
13 installation, and repair work for such employer to hold licenses
14 while acting within the scope of their employment;

15 (2) Require any person doing work for which a license
16 would otherwise be required under the act to hold a license issued
17 under the act if he or she is the holder of a valid license issued
18 by any city or other political subdivision, so long as he or she
19 makes electrical installations only in the jurisdictional limits of
20 such city or political subdivision and such license issued by the
21 city or political subdivision meets the requirements of the act;

22 (3) Cover the installation, maintenance, repair, or
23 alteration of vertical transportation or passenger conveyors,
24 elevators, moving walks, dumbwaiters, stagelifts, manlifts, or
25 appurtenances thereto beyond the terminals of the controllers. The
26 licensing of elevator contractors or constructors shall not be
27 considered a part of the licensing requirements of the act;

28 (4) Require a license of any person who engages any

1 electrical appliance where approved electrical outlets are already
2 installed;

3 (5) Prohibit an owner of property from performing work on
4 his or her principal residence, if such residence is not larger
5 than a single-family dwelling, or farm property, excluding
6 commercial or industrial installations or installations in
7 public-use buildings or facilities, or require such owner to be
8 licensed under the act; or

9 (6) Require that any person be a member of a labor union
10 in order to be licensed.

11 Sec. 7. Section 81-2124, Reissue Revised Statutes of
12 Nebraska, is amended to read:

13 81-2124. (1) All new electrical installations for
14 commercial or industrial applications, including installations both
15 inside and outside of the buildings, and for public-use buildings
16 and facilities and any installation at the request of the owner
17 shall be subject to the inspection and enforcement provisions of
18 the State Electrical Act.

19 (2) All new electrical installations for residential
20 applications in excess of single-family residential applications
21 shall be subject to the inspection and enforcement provisions of
22 the act.

23 (3) All new electrical installations for single-family
24 residential applications requiring new electrical service equipment
25 shall be subject to the inspection and enforcement provisions of
26 the act.

27 (4) ~~(3)~~ Existing electrical installations observed during
28 inspection which constitute an electrical hazard shall be subject

1 to the act. Existing installations shall not be deemed to
2 constitute an electrical hazard if the wiring when originally
3 installed was installed in accordance with the electrical code in
4 force at the time of installation and has been maintained in that
5 condition.

6 Sec. 8. Original sections 81-2109, 81-2121, and 81-2124,
7 Reissue Revised Statutes of Nebraska, and sections 81-2102,
8 81-2108, 81-2113, and 81-2118, Revised Statutes Supplement, 2003,
9 are repealed.